IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION

**CIVIL APPLICATION NO.3408 OF 2005**
IN
**WRIT PETITION NO. 1953 OF 2004**

1. Vaktarmal Juharmal Jain, since deceased through his LRs :
1A.Sou Pushpa Amrutlal Jain & Ors. .. Applicants.

V/s.

Deepak Nathuram Kamble & Ors. ..Respondents.

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Mr. P.S. Dani for the Applicants.

Mr. Ajay Misal for the Respondent No.1.

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**CORAM : S. B. MHASE, J.**
**DATED : 24TH MARCH, 2006.**

**P.C.:**

1. Heard both sides.

2. This is an application to bring on record heirs of the sole petitioner. The petitioner has died on 9.8.2005. The Application to bring on record his heirs is filed on 22.11.2005. There is total delay of 72 days. The petitioners state that they were not knowing that the petition was pending and that they were not knowing the procedure to be adopted for bringing legal heirs on record. The petitioners further state that the copy of the death certificate was issued on 04.10.2005 and thereafter, they have immediately filed the

application. All these grounds make sufficient cause for condonation of the delay. Delay is condoned. Abatement is set aside and heirs be brought on record.

3. Civil application is disposed of.

24.03.2006 (S.B.MHASE,J)

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